

Docket Number: 1034-01-PA
App. Ser. No. 09/650,045
Reply to Office action of September 21, 2005

REMARKS/ARGUMENTS

Applicants and their attorney wish to express their appreciation to the Examiner
5 for her courtesy and attention during a telephone call on December 13, 2005 as well as
an in-person interview with herself and Examiner McAllister on March 14, 2006.

Support for these new claims comes from pages 20-23 and Figures 10 and 11 of
the specification. No new matter has been added.

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Rejections Under 35 U.S.C. § 101

The Office Action has rejected claims 255-278 under 35 U.S.C. § 101 because
the claimed subject matter is allegedly directed to non-statutory subject matter. Appli-
cants have cancelled claims 255-278 and as such, this rejection is now moot.

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Rejections Under 35 U.S.C. § 112

The Office Action has rejected claims 231-232, 241, 246, 257, 270 and
275 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particu-
larly point out and distinctly claim the subject matter which application regards as the
20 invention. Applicants have cancelled claims 231-232, 241, 246, 257, 270 and 275 and
as such, this rejection is now moot.

Rejections Under 35 U.S.C. § 102(e)

The Office Action has rejected claims 231-278 under 35 U.S.C. § 102(e) as being
25 anticipated by U.S. Patent Application Publication No. 2002/0049816 to Costin, IV et al.
Applicants have cancelled claims 231-278 and as such, this rejection is now moot.

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In newly added claims 279 – 285, Applicants have described their unique and novel method for facilitating the allocation of proceeds from a business transaction between at least one of a plurality of beneficiary groups and a related provider. In an effort to try and simplify the examination of the claims, Applicants hereby provide a list of definitions of some of the elements in the claims, and the location in the specification where the element is defined.

DEFINITIONS

1. USER – the buyer who is the person or entity that obtains a good, service, and information. (See page 3, lines 26-31 of the specification)
2. PROVIDER - the provider is the person that is the source of the good, service, and information (See page 3, lines 26-31 of the specification)
3. BENEFICIARY GROUP- is the person or entity that receives the benefit from the business transaction between the user and provider. (See page 6, lines 10-23 of the specification)
4. BENEFIT - a determined portion of the proceeds. (See page 6, lines 10-23 of the specification)
5. PROCEEDS - is the entire payment from the user (or buyer). (See page 20, lines 7-13 of the specification)
6. A PORTION OF THE PROCEEDS - the determined portion of the proceeds. (See page 20, lines 23-31 of the specification)

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7. BUSINESS TRANSACTION PROCEEDS ALLOCATION - the novel splitting of the business transaction proceeds, wherein by a previous arrangement with the user and provider, proceeds of the business transaction are allocated to at least one of provider and beneficiary group. (See page 21, lines 14-21 of the specification)

5 8. PAYMENT ENTITY - includes a credit card company, a merchant bank, etc. (see page 20, lines 6-7)

9. ARRANGEMENT - matching a user with a provider to permit the conducting of a business transaction between the user and the at least one associated provider so that the user can obtain the desired good, service, or information (see page 18, lines 26-31)

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In conventional on-line or off-line business transactions, the entire proceeds (i.e. payment for the goods, services or information) from the transaction is distributed by the user to the provider (i.e. a person or entity) from the user's cash, credit card or other payment entity, after the provider notifies the payment entity of the transaction.

15 However, the present invention divides and allocates the proceeds of the transaction between a beneficiary group and the related provider unlike conventional methods. After the user completes a search, an arrangement is provided that identifies the user, good, service, and/or information to be acquired, the related provider, the form of payment, the identity of the beneficiary group, the portions of the proceeds to be allocated to the beneficiary group and related provider, and authorization from the user to effect the payment. After receiving the arrangement, the business transaction is executed pursuant to the details of the arrangement. When executing the business transaction, the user receives the good, service, and/or information and provides payment. Proceeds from the payment are distributed between the related provider and the beneficiary group, not just the provider.

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CONCLUSION

In view of the above, Applicants respectfully request allowance of independent claim 279 and subsequently claims 280-285 which depend therefrom. If the Examiner believes that a telephone conference with Applicants' representative might expedite prosecution of this application, she is cordially invited to call at the number listed below.

Respectfully submitted,

10 Dated: MARCH 20, 2006

By: Heidi Eisenhut
Heidi L. Eisenhut
Attorney for Applicant
Registration No. 46,812

15 Klein, O'Neill & Singh, LLP (Customer No.: 22145)
2 Park Plaza, Suite 510
Irvine, CA 92614
Tel: (949) 955-1920
20 Fax: (949) 955-1921

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